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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

2007 JUL 12 P 2:41

MIKE GLEASON - Chairman  
WILLIAM A. MUNDELL AZ CORP COMMISSION  
JEFF HATCH-MILLER DOCKET CONTROL  
KRISTIN K. MAYES  
GARY PIERCE

IN THE MATTER OF:

DOCKET NO. S-20509A-07-0043

PERRY and TERRY PENNY, husband and wife,  
Gilbert, Arizona

PENNY FINANCIAL, INC., a Michigan  
Corporation,  
Gilbert, Arizona

PENNY PROPERTIES, INC., a Michigan  
Corporation,  
Gilbert, Arizona

RYM TECHNOLOGY HOLDINGS, L.L.C.,  
A Michigan limited liability company,  
Birmingham, MI

FELIX L. DANIEL, SR. and JANE DOE DANIEL,  
husband and wife,  
Birmingham, MI

Respondents.

Arizona Corporation Commission

DOCKETED

JUL 12 2007

DOCKETED BY

nr

**FIFTH**  
**PROCEDURAL ORDER**

**BY THE COMMISSION:**

On January 22, 2007, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Temporary Order to Cease and Desist ("T.O.") and a Notice of Opportunity for Hearing ("Notice") against Perry and Terry Penny, husband and wife, Penny Financial, Inc. ("PFI"), Penny Properties, Inc. ("PPI"), RYM Technology Holdings, L.L.C., ("RYM") and Felix and Jane Doe Daniel, husband and wife, (collectively "Respondents"), in which the Division alleged that the Respondents committed multiple violations of the Arizona Securities Act ("Act") in connection with the offer and sale of securities in the form of notes and/or investment contracts. As a result of the T.O., the Respondents were immediately ordered to cease and desist from violating the Act.

1 The Penny, PFI, PPI, RYM and Daniel Respondents were duly served copies of the Notice.

2 On February 13, 2007, the Penny, PFI and PPI Respondents filed a request for hearing. The  
3 RYM and Daniel Respondents did not request a hearing.

4 On February 20, 2007, by Procedural Order, a pre-hearing was scheduled on March 22, 2007.

5 On March 22, 2007, the Division appeared through counsel and Mr. and Mrs. Penny appeared  
6 on their own behalf. The Division requested that hearing be scheduled.

7 On March 23, 2007, by Procedural Order, a hearing was scheduled on May 8, 9, and 10, 2007.

8 On April 20, 2007, the Division filed a Motion to Continue ("Motion") the proceeding until  
9 July 20, 2007, or later stating that settlement discussions are being held with the Penny, PFI and PPI  
10 Respondents.

11 On April 23, 2007, by Procedural Order, the proceeding was continued to July 25, 2007, and  
12 the exchange of copies of the proposed Exhibits and Witness Lists delayed until July 2, 2007.

13 Only June 27, 2007, the Division filed a Motion to Set Restitution and Administrative Penalty  
14 Amount ("Motion for Penalty") against the RYM and Daniel Respondents.

15 On July 9, 2007, the Division filed a Motion to Extend Deadline for Submitting the Securities  
16 Division's Witness and Exhibit Lists ("Extension Motion") pending approval of a proposed Consent  
17 Order with respect to the Penny, PFI and PPI Respondents to be considered for approval by the  
18 Commission at its July 12, 2007 Open Meeting.

19 On July 11, 2007, by Procedural Order, the Division's Extension Motion was granted.

20 On July 12, 2007, the Commission approved the proposed Consent Order with the Pennys,  
21 PFI and PPI.

22 Accordingly, all hearing dates should be vacated and the exchange of copies of the Exhibit  
23 and Witness Lists should be cancelled.

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1 IT IS THEREFORE ORDERED that all hearing dates are hereby vacated and the exchange of  
2 copies of the Witness Lists and copies of the Exhibits are hereby cancelled.

3 DATED this 12<sup>th</sup> day of July, 2007.

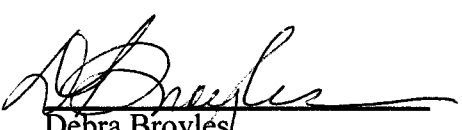
4  
5   
6 MARCE. STERN  
ADMINISTRATIVE LAW JUDGE

7 Copies of the foregoing mailed/delivered  
8 this 12<sup>th</sup> day of July, 2007 to:

9 Perry and Terry Penny  
10 PENNY FINANCIAL, INC.  
11 PENNY PROPERTIES, INC.  
405 West Midland  
Gilbert, AZ 85233

12 Matt Neubert, Director  
13 Securities Division  
14 ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, AZ 85007

15  
16 ARIZONA REPORTING SERVICE, INC.  
2200 North Third Street, Suite 502  
17 Phoenix, AZ 85004-1481

18  
19 By:   
20 Debra Broyles  
Secretary to Marc E. Stern